

## FAIRFAX CIRCUIT COURT TEMPORARY PROCEDURE FOR VIDEO OR TELEPHONE HEARINGS OF CIVIL MATTERS

To increase access to the Circuit Court without exposing counsel, litigants, court personnel and the public to Covid-19 health threats, and consistent with the Virginia Supreme Court's March 16, 2020, and March 27, 2020, Judicial Emergency Orders, as interpreted by its April 10, 2020 guidance, the Court is now offering remote appearance civil motions practice upon consent of all parties.

Effective April 21, 2020, for hearings starting May 7, 2020, the following temporary procedure is available:

- (1) Motions for a Thursday hearing via video conferencing or teleconferencing ("Remote Hearings"), may be Noticed as such, under the following conditions:
  - A. The Notice, Praecipe, Motion, Opposition or Response, and proposed Orders are filed and briefed in compliance with existing court procedures regarding one-week and two-week motions, except filings for a Thursday Remote Hearing must be done a day earlier; and
  - B. The Motion must certify that all parties agree to appear remotely.
  - C. After the proper filing of the motion and opposition the matter may be docketed in accordance with paragraph (2).
- (2) To docket the matter, the moving party must send an email to the Circuit Court at [CCRRemoteMotions@fairfaxcounty.gov](mailto:CCRRemoteMotions@fairfaxcounty.gov) by 1:00 p.m. on the Monday before the hearing, with the following attachments:

- A. The Motion and Opening Brief (*without* exhibits), and the proposed Order from the moving party;
  - B. The Response (*without* exhibits), and the proposed Order from the non-moving party; and
  - C. The names and email addresses (for video hearings) and telephone numbers (for telephone hearings) of all Remote Hearing attendees, including a court reporter, if used.
- (3) Once proper compliance with the foregoing is accomplished, the parties will receive an email from the Judge's law clerk, confirming receipt and acceptance of the submissions, indicating which Judge has been assigned to hear the Motion, and announcing the time of the hearing.
- (4) For video conferences, the Court will send a Webex invitation in advance of the hearing. Parties are responsible for joining the hearing at the appointed time. For teleconferences, the Court will call participants directly from the courtroom. The participants must be available to answer the call when the court makes the call.
- (5) All hearings will be posted on the Court's website and the Courthouse docket monitors. Hearings will be conducted in a public courtroom. The parties and their attorneys must attend the hearing remotely.
- (6) The parties are responsible for providing a court reporter, if desired, who may participate remotely or in person, as they wish. Except as authorized by the Court, video or audio recording of the hearing is strictly prohibited.